

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division

DARLA GRESE, Administrator of the  
Estate of Kelli Marie Grese, Deceased,  
Plaintiff,

v.

No. 4:12cv-49-MSD-DEM

UNITED STATES OF AMERICA,  
Defendant.

**ORDER TO SEAL MEDICAL RECORDS**

This matter is before the Court on the Defendant's Motion to Seal Certain Exhibits and Memorandum in Support, requesting the Court order the certain exhibits, which are medical records of the decedent, be sealed.

Having considered the Motion and Memorandum in Support, and having considered less drastic alternatives to sealing, the Court finds that the Defendant is required to file the decedent's medical records under seal. Considerations of the personal, private and medical information of the Plaintiff warrant the granting of this motion; and that less drastic alternatives to sealing the documents are not feasible. Other exhibits submitted by the Defendant, and the Defendant's Memorandum itself, satisfies any public interest in the medical records of the decedent. The Court further finds that the public has been provided notice of the request to seal and interested parties have been provided a reasonable opportunity to object.

Therefore, it is ORDERED that the Motion to Seal Certain Exhibits is granted and that the following exhibits, offered in support of Defendant's Memorandum in Support of Motion to Exclude the Expert Report and Expert Testimony of Dr. Thomas K. Tsao, ECF No. 25, are SEALED:

Exhibit 3, Discharge Summary

Exhibit 6, Progress Notes  
Exhibit 7, Discharge Summary  
Exhibit 8, Discharge Summary  
Exhibit 9, Subpoena Duces Tecum Return  
Exhibit 10, Discharge Summary  
Exhibit 11, Discharge Summary  
Exhibit 12, Discharge Summary  
Exhibit 13, Admission Note  
Exhibit 14, Discharge Summary  
Exhibit 15, Discharge Summary  
Exhibit 16, Progress Notes  
Exhibit 17, Medication Profile  
Exhibit 18, Progress Notes  
Exhibit 19, Progress Notes  
Exhibit 20, Discharge Summaries  
Exhibit 21, Appointment Log  
Exhibit 22, Progress Notes  
Exhibit 23, Progress Notes  
Exhibit 24, Progress Notes  
Exhibit 25, Progress Notes  
Exhibit 26, Progress Notes  
Exhibit 27, Progress Notes  
Exhibit 28, Progress Notes  
Exhibit 29, Progress Notes  
Exhibit 31, Progress Notes  
Exhibit 32, Nissman Report

It is further ORDERED that, at the conclusion of this case including the conclusion of any appeals and the expiration of any time for the timely noting of any appeals, the Clerk shall return the exhibits to counsel for the Defendant to dispose of as counsel sees fit.

The Clerk is directed to send a copy of this Order to counsel for the Defendant and the Plaintiff.

  
UNITED STATES ~~DISTRICT~~ JUDGE  
Mary G. Kelle

at Norfolk, Virginia

Entered: 10/1, 2012